

**CITY OF MORGAN HILL
JOINT SPECIAL AND REGULAR CITY COUNCIL AND
SPECIAL REDEVELOPMENT AGENCY MEETING
MINUTES - DECEMBER 4, 2002**

CALL TO ORDER

Mayor/Chairperson Kennedy called the meeting to order at 6:05 p.m.

ROLL CALL ATTENDANCE

Present: Mayor/Chairperson Kennedy, Council/Agency Members Carr, Tate, Sellers
Late: Council Member/Vice-chair Chang (arrived at 6:08 p.m.)

DECLARATION OF POSTING OF AGENDA

City Clerk/Agency Secretary Torrez certified that the meeting's agenda was duly noticed and posted in accordance with Government Code 54954.2

City Council and Redevelopment Agency Action

CLOSED SESSIONS:

City Attorney/Agency Counsel Leichter announced the following closed session items.

1.

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

Significant Exposure/Initiation of Litigation

Authority: Government Code Sections 54956.9(b) & (c)

Number of Potential Cases: 2

2.

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

Case Name: Drivers' Placement v. City of Morgan Hill

Case Number/Court: Santa Clara Superior Court Case No. CV788941

Attendees: City Manager, City Attorney, Special Counsel Dan Siegel, Public Works Director

3.

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

Legal Authority: Government Code Section 54965.9(a)

Case Name: Morgan Hill Unified School District v. Minter & Fahy

Case No.: Santa Clara County Superior Court, No. CV 772368

Attendees: City Council, City Manager, City Attorney, Public Works Director, and Mark Strombotne, Special Counsel

OPPORTUNITY FOR PUBLIC COMMENT

Mayor/Chairperson Kennedy opened the closed session items to public comment. No comments were offered.

ADJOURN TO CLOSED SESSION

Mayor/Chairperson Kennedy adjourned the meeting to closed session at 6:06 p.m.

RECONVENE

Mayor/Chairperson Kennedy reconvened the meeting at 7:04 p.m.

CLOSED SESSION ANNOUNCEMENT

City Attorney/Agency Counsel Leichter announced that there was no reportable action taken in closed session.

SILENT INVOCATION

PLEDGE OF ALLEGIANCE

At the invitation of Mayor/Chairperson Kennedy, Gina Estrada, Live Oak High School student, led the Pledge of Allegiance.

City Council Action

1. NOVEMBER 5, 2002 GENERAL MUNICIPAL ELECTION - CERTIFIED STATEMENT OF ELECTION RESULTS - Resolution No. 5627

Council Services and Records Manager/City Clerk Torrez presented the staff report. She indicated that Resolution No. 5627 has been distributed to the City Council reciting the results of the election. She recommended adoption of Resolution No. 5627.

Action: *On a motion by Council Member Sellers and seconded by Mayor Pro Tempore Carr, the City Council unanimously (5-0) **Adopted** Resolution No. 5627, Reciting the Facts of the General Municipal Election of November 5, 2002.*

OATHS OF OFFICE:

City Clerk Torrez administered the Oaths of Office to Mayor-Elect Dennis Kennedy, Council Member-Elect Greg Sellers and Council Member-Elect Steve Tate.

City Council and Redevelopment Agency Action

2. SELECTION OF CITY COUNCIL MAYOR PRO TEMPORE AND REDEVELOPMENT AGENCY VICE-CHAIR

Mayor/Chair Kennedy opened the floor to nominations for Mayor Pro Tempore and Vice-chair.

City Council

Action: Council Member Sellers made a motion, seconded by Council Member Tate to **nominate** Council Member Chang to serve as Mayor Pro Tempore.

Action: The City Council unanimously (5-0) **confirmed** the Mayor's Appointment of Council Member Chang to serve as Mayor Pro Tempore.

Redevelopment Agency

Action: Agency Member Sellers made a motion, seconded by Chairman Kennedy to **nominate** Agency Member Tate to serve as Redevelopment Agency Vice-chair for the upcoming year.

Agency Member Tate stated that he supported Council/Agency Member Carr's suggestion of having the same individual serving as Mayor Pro Tempore and Vice-chair.

Agency Member Sellers noted that Agency Member Tate had not yet had the opportunity to serve as Vice-chair, thus his nomination. However, if it is the preference of the City Council/Agency Board to have the same individual serve in both capacities in order for the same individual to take the lead of joint Council/Redevelopment Agency meeting's and to avoid confusion, he would support the action.

Agency Member Tate felt that it would be consistent to have the same individual fill in for Mayor/Chair Kennedy in both roles in his absence.

Action: Agency Member Sellers and Chairman Kennedy **rescinded** their motion.

Action: Agency Member Sellers made a motion, seconded by Chairman Kennedy, to **nominate** Agency Member Chang to serve as Redevelopment Agency Vice-chair.

Action: The Redevelopment Agency unanimously (5-0) **confirmed** Chairman Kennedy's appointment of Agency Member Chang to serve as Redevelopment Agency Vice-chair.

City Clerk/Agency Secretary Torrez inquired whether the City Council/Redevelopment Agency would like staff to return with a policy that would stipulate that the Mayor Pro Tempore and Vice-chair are to be the same individual for Council/Agency consideration?

Action: Mayor Kennedy **requested** that staff return with a proposed policy change that would give consideration to the same Council/Agency Member serving as Mayor Pro Tempore as Vice-chair for future appointments for Council/Agency consideration.

City Council Action

PRESENTATIONS

Steve Woodill, California Department of Forestry (CDF) of Santa Clara, presented a commemorative plaque to the City of Morgan Hill, its citizens, staff and elected officials for its support of CDF with the Croy Fire incident and the residents of the Croy area affected by the fire. He said that it was great to see how well south county pulled together. He appreciated the assistance of Chief of Police Galvin, the OES coordinator, the videographer, and the City's closed circuit cable television system that allowed CDF to get a lot of the fire information out. He appreciated the amount of interest and concern that was shown in this incident.

Mayor Kennedy stated that he was incredibly impressed with the professional work of all CDF firefighters.

ANNOUNCEMENTS

Council Members Sellers and Tate announced the Morgan Hill Community and Cultural Center Grand Opening week of activities to take place December 7 through 14, starting with a sold out Mayor's ball and ending with a teen dance.

Mayor Kennedy thanked Council Member Sellers for heading up the week-long activities that have been planned for the Grand Opening. He also thanked Council Member Tate, staff and the tremendous number of volunteers who have worked to help put this wonderful week of celebration together as it is a truly exciting time for the city and the community.

CITY COUNCIL REPORT

Mayor Pro Tempore Chang reported on the following: 1) Day Workers Committee - a lease is being prepared for the Isaacson Grain Company facility. It is hoped to be able to move into the building some time next month. She thanked staff for its assistance on this effort, especially Assistant to the City Manager Eulo. 2) Approximately one month ago, Director of Public Works Ashcraft, Mayor Springer (Gilroy) and she traveled to San Luis Obispo and presented the Wetland Concept to the Regional Wastewater Control Board Members. She stated that Mr. Ashcraft identified what steps will need to be taken at a later date. 3) The Water District wanted to change an ordinance in order to expand their territory from 50' to 150' from the bank. City staff met with the Water District and other staff members from Santa Clara County and have stalled the proposed ordinance amendment for six months to allow further discussion. She felt that Mr. Ashcraft performed a great job on this effort. 4) Legislative Task Force - Cities Association. She indicated that two important issues are coming up: a) Affordable housing - There is a recommendation to change some of the redevelopment zones. She thanked City Manager Tewes for his connection with the California Redevelopment Agency. She was introduced to Matthew Dean, CRA legislative lawyer, who gave input and insights on how to handle this matter. b) Teacher Housing program. She indicated that she has asked that Council Member Carr be a part of this Committee. 5) A County Blue Ribbon Task Force was established to try to improve the quality of education in Santa Clara County. The Task Force is focusing on securing qualified teachers and their retention. She indicated that another forum will

be held next week and requested that Council Members attend this meeting and provide input.

CITY MANAGER'S REPORT

City Manager Tewes reported that a special session of the legislature began this week and that the Governor has asked the legislature to tackle the current year's budget. He stated that it is too early to determine what will come out of their discussions and that the City would need to stand by. He reported that the December City Visions' issue will include an article that will advise the public that the City would again be following a furlough schedule during the holiday season. He stated that City Hall would be closed from Monday, December 23 and reopen Thursday, January 2, 2003. He said that during this period, normal business at City Hall would not be conducted but that all public safety services would be made available. Public Works response crew would also be available during the holidays as well.

CITY ATTORNEY'S REPORT

City Attorney Leichter stated that she did not have a report to present this evening.

OTHER REPORTS

Council Member Tate reported that the City of Morgan Hill did not make the first round of the Library Project Bond Act, noting that there were 61 applications for the first round of funding for the Proposition 14 Bond Act, passed in 2000 that allocates \$350 million to the building or remodeling of library facilities. He said that the criteria was very competitive where you competed against other cities who want to build libraries. He said that the City needs a new library as the current facility is too small, does not afford enough parking, one cannot find a place to sit down, and books are found all over the floor.

Council Member Tate indicated that there would be three cycles of award with the first cycle taking place this past Monday in Sacramento. The State has a seven-member board consisting of state agency employees, a member of the state senate, a member of the state assembly and one outside business person. The 61 applications in the first round were ranked as follows: outstanding, very good, adequate, and two lower categories. He said that 14 applications were deemed to be outstanding, 33 of the applications were deemed to be very good, and 14 were deemed to be acceptable. On Monday, the State Board awarded 13 out of the 14 outstanding projects bond funds.

Council Member Tate indicated that Morgan Hill submitted a very good application. He addressed how the City was rated in the four categories (age of current building; how well City defined needs and how well does the proposal meets this need, including a joint venture with a School District; technology, and appropriateness of the site). The Board felt that the City had a good joint use agreement, however, the financial commitment from the School District was a little too tentative. The Board also wanted the City to address how technology would be implemented. He did not see anything standing in the way of the City improving in certain areas and felt that the City would be submitting an outstanding application in March 2003. However, it is expected that 100 applications would be submitted in the second round, resulting in greater competition.

PUBLIC COMMENT

Mayor/Chairperson Kennedy opened the floor to comments for items not appearing on this evening's agenda.

Grady Jackson, 165 East Edmundson Avenue, indicated that he resides adjacent to an apartment complex. He expressed concern with the non stop flow of noise, traffic, overflow of cars, speeding, damage to his fence and to his vehicle. He stated that he has been in touch with every agency in Morgan Hill and that he does not get anywhere. He said that there is a lot of gang activity in his neighborhood and requested Council assistance with this non stop battle. He stated that he has spoken with the property owner to no avail. He said that the problems have affected his trash, mail and street sweeping services.

Mayor Kennedy invited Mr. Grady to meet with he and City Manager Tewes during the break to follow up with his concerns and complaints to see if there is anything that can be done to address them.

No further comments were offered.

City Council Action

CONSENT CALENDAR:

Council Member Sellers requested that item 4 and Mayor Kennedy requested that item 5 be removed from the Consent Calendar.

Action: *On a motion by Council Member Tate and seconded by Council Member Carr, the City Council unanimously (5-0), **Approved** Consent Items 3 and 6 - 10, as follows:*

3. **ANNUAL REPORT ON ADVANCED LIFE SUPPORT SERVICES**

Action: **Accepted** *Report from Santa Clara County Fire Department for Advanced Life Support (ALS) Services From July 2001 to August 2002.*

6. **GENERAL PLAN IMPLEMENTATION REPORT FOR FISCAL YEAR 2001-2002**

Action: **Accepted** *Report by Minute Action.*

7. **2002-2003 HAZARDOUS VEGETATION PROGRAM - Resolution No. 5626**

Action: **Adopted** *Resolution No. 5626 Declaring Weeds and Brush to be a Nuisance and Setting February 5, 2003 as the Date for the Public Hearing Regarding Weed Abatement; and June 4, 2003 as the Date for the Public Hearing Regarding Brush Abatement.*

8. **ADOPT ORDINANCE NO. 1597, NEW SERIES**

Action: **Waived** *the Reading, and **Adopted** Ordinance No. 1597, New Series, and **Declared** That Said Title, Which Appears on the Public Agenda, Shall Be Determined to Have Been Read by Title and Further Reading Waived; Title as follows: An Ordinance of the City Council of the City of Morgan Hill Approving an Amendment to Ordinance No. 1530, New*

Series, Amending the Development Agreement for Application MP 99-26: Malaguerra-Ansuini/Mancias to Incorporate a Five-month Extension of Time for Seven Building Allotments in Phase One and a Six-month Extension of Time for Six Building Allotments in Phase Two. (APN 728-35-016; 728-35-017)

9. SPECIAL CITY COUNCIL MEETING MINUTES FOR NOVEMBER 13, 2002

Action: Approved the Minutes as Submitted.

10. SPECIAL CITY COUNCIL MEETING MINUTES FOR NOVEMBER 13, 2002

Action: Approved the Minutes as Submitted.

4. AMENDMENT TO LEASE WITH GAVILAN COMMUNITY COLLEGE

Council Member Sellers stated that it was brought to his attention that should Gavilan College lease out their current facility sooner, they are not obligated to pay leasing costs to the City any sooner. He requested City Attorney clarification.

City Attorney Leichter referred Council Member Sellers to the amendment located on Page 14 of the agenda packet. The amendment provides that should Gavilan College recognize any costs savings from earlier double occupancy that they agree to pay the cost savings in the form of rent to the City up to a maximum of 50%.

Mayor Kennedy inquired whether the City would be allowed to make use of unused classroom spaces for other activities?

City Attorney Leichter clarified that Gavilan College has rented the entire premises. If Gavilan College wishes to rent such space back to the City or allow the City to use the space on a casual basis, the lease would not prohibit this.

Mayor Kennedy recommended that a provision be included that would allow City use of unused classroom spaces.

City Attorney Leichter stated that this can be done but that some issues would need to be worked out in terms of maintenance and security. She said that these issues can be approached by means of another amendment to the agreement.

City Manager Tewes indicated that there may be some points during the day when a particular classroom may be vacant, but that Gavilan College intends to use all of the space that they are renting.

Mayor Kennedy suggested that should Gavilan College have some space available, that the City be allowed to use the space.

City Attorney Leichter said that should Gavilan College not be able to fill a classroom in the quarter/semester, the City could approach them about making the vacant room available to the City.

Action: *On a motion by Council Member Tate and seconded by Council Member Sellers, the City Council unanimously (5-0): 1) **Authorized** the City Manager to do Everything Necessary to Prepare and Execute a Lease Amendment with Gavilan College; 2) **Appropriated** \$15,000 in the General Fund's Community and Cultural Center Budget and Increased Revenue Projections for the General Fund by \$15,000; and 3) **Authorized** the Addition of a One-Half Time (.5 FTE) Janitorial Position in the Community and Cultural Center Budget.*

5. AWARD OF CONTRACT FOR DOWNTOWN TRANSIT CENTER AT-GRADE PEDESTRIAN CROSSING PROJECT

Mayor Kennedy stated that he and Public Works Director Ashcraft have been working on this project for over seven years. He said that this is a milestone project that the City has been trying to accomplish. The project is an at grade pedestrian crossing across the railroad tracks that would connect the two sides of the tracks together so that people wishing to go to an event downtown can park on the east side of the Caltrain Park and Ride lot and be able to walk across the tracks safely. It would also allow the City to better utilize the small train station building located on the west side of the track and for overflow parking for events that may occur in the downtown or the Community and Cultural Center. He said that this project is scheduled to be completed by March 15, 2003, weather permitting.

Action: *On a motion by Mayor Pro Tempore Chang and seconded by Council Member Sellers, the City Council unanimously (5-0): 1) **Appropriated** \$45,600 from the Unappropriated Redevelopment Agency Fund Balance to Fully Fund This Project; and 2) **Awarded** contract to McGuire and Hester for the Construction of the Downtown Transit Center At-Grade Pedestrian Crossing Project in the Amount of \$137,916.00.*

PUBLIC HEARINGS:

11. DEVELOPMENT AGREEMENT, DA 02-10: E. DUNNE AVENUE-FIRST COMMUNITY HOUSING

Director of Community Development Bischoff presented the staff report, informing the City Council that agenda items 11, 12 and 13 are all development agreements. He informed the City Council that all three items were improperly noticed. He said that the noticing sent to the adjoining property owners was correct but that the notice to the newspaper gave the wrong hearing date. He apologized for this error. He recommended that the Council open the public hearing and then continue the public hearings for items 11, 12 and 13 to December 18, 2002.

Mayor Kennedy opened the public hearing. No comments were offered.

Action: *On a motion by Council Member Tate and seconded by Council Member Carr, the City Council unanimously (5-0), **Continued** the public hearing to December 18, 2002.*

12. DEVELOPMENT AGREEMENT AMENDMENT, DAA 01-06: COCHRANE-COYOTE ESTATES

Mayor Kennedy opened the public hearing. No comments were offered.

Action: *On a motion by Council Member Tate and seconded by Council Member Sellers, the City Council unanimously (5-0), **Continued** the public hearing to December 18, 2002.*

13. DEVELOPMENT AGREEMENT, DA 02-07: SHAFER-BAMDAD

Mayor Kennedy recused himself from this item as he resides within 500 feet from this project.

Mayor Pro Tempore Chang opened the public hearing. No comments were offered.

Action: *On a motion by Council Member Tate and seconded by Council Member Sellers, the City Council, on a 4-0 vote with Mayor Kennedy recusing himself, **Continued** the public hearing to December 18, 2002.*

Mayor Kennedy resumed his seat on the dias.

OTHER BUSINESS

14. WAIVER OF POTENTIAL CONFLICT OF INTEREST WITH STANDARD FUSEE CORPORATION

City Attorney Leichter presented the staff report, indicating that the law firm of Sedgwick, Detert, Moran & Arnold represents the Corporation Yard Commission in the lawsuit over the fuel tank leak at the Corporation Yard. She indicated that they do not represent the City, per se, but that they do represent the Corporation Yard Commission. She indicated that the law firm would like to represent a potential litigant in another case involving the City in a contamination of ground water from a chemical spill. She said that the potential client may have contributed to the contamination and that the law firm would like the ability to represent this case. She said that the waiver of conflict of interest under the California Bar Rules of Ethics requires that one disclose any potential conflict to a client and obtain a written consent to such representation. She stated that staff has some concerns that the law firm may obtain information in their representation of the Corporation Yard Commission about the City's ground water supplies, including City policies and internal working on how it operates within this system. This information may be advantageous to Standard Fusee in the subsequent matter. She said that this is a discretionary action of the City Council and is a Council comfort level as to whether it would like to waive the conflict of interest.

Mayor Kennedy opened the floor to public comment. No comments were offered.

Council Member Tate stated that he was not comfortable with the approval of the request. He recommended that the City Council take no action on the request.

Mayor Kennedy concurred with Council Member Tate and felt that the two locations were too close together and have too much in common. Therefore, he would not support the request.

Action: *By consensus, the City Council **took no action** on this item.*

City Attorney Leichter indicated that she would communicate to Mr. Casto, the attorney with Sedgwick, that the Council did not approve the conflict of interest waiver.

**15. MEXICAN AMERICAN COMMUNITY SERVICES AGENCY INC. (MACSA)
REQUEST FOR FUNDING**

Council Services and Records Manager Torrez presented the staff report.

Mayor Kennedy opened the floor to public comment. No comments were offered.

Council Member Sellers stated that MACSA is a very worthwhile community organization and performs great work throughout the valley. He noted that the Council denied a request from United Way a couple of weeks ago under similar circumstances. He said that he has a thought about how the Council can be helpful, but not necessarily financially or directly. He noted that the staff report indicates that MACSA is requesting the City Council to sponsor a major event that they are having with the group called Culture Clash. He noted that this performance coincides with the opening of the Morgan Hill Community Playhouse. He requested the opportunity to talk to Ms. Mendiola to see if there is an opportunity to do something at the Performing Arts Center in conjunction with the City's Community Playhouse, should the Council support his request. He felt that this would be a benefit without the City having to incur expenses for an organization that does great work, but not directly in Morgan Hill. Should the Council concur with his request, he would work toward discussions with Ms. Mendiola to see how the City can work with MACSA toward a mutual benefit.

Mayor Pro Tempore Chang and Mayor Kennedy supported Council Member Sellers suggestion.

Council Member Carr encouraged Council Member Sellers to include South Valley Civic Theater in his discussions as they have a performance scheduled as well.

Action: *It was the consensus of the City Council to **Authorize** Council Member Sellers to proceed with fundraising discussion opportunities with MACSA.*

**16. PROPOSED AMENDMENTS TO THE SANTA CLARA COUNTY CITIES
ASSOCIATION BYLAWS**

Mayor Kennedy stated that he has read through the proposed Bylaw changes and that the proposed amendments cleans up some of the language and also changes the name of the Legislative Committee to a Legislative Action Committee. As the Council's representative to the Cities Association, he recommended approval of the amendments.

Mayor Kennedy opened the floor to public comment. No comments were offered.

Action: *On a motion by Council Member Sellers and seconded by Council Member Tate, the City Council unanimously (5-0), **Directed** staff to **Forward** the City Council's approval of the proposed Cities Association Bylaw Amendments to the Santa Clara County Cities Association.*

17. REVIEW OF CITY COUNCIL COMMITTEES AND APPOINTMENTS TO OUTSIDE AGENCIES

Council Services and Records Manager Torrez presented the staff report. She indicated that staff distributed a supplemental handout from the Cities Association requesting that the Council consider four other committee assignments and forward Council Member(s) interest in serving on these committees.

Mayor Kennedy suggested that each Council Member identify changes to current assignments and that they be submitted to him through Lisa Lewis. The actual appointments to take place at the next Council meeting.

Council Member Sellers noted that the Finance & Audit Committee lists Council member's yearly rotation. He requested that staff review the order of rotation as it appears that he would be serving alone on this committee for a short period of time.

Mayor Pro Tempore Chang inquired about the Economic Development Subcommittee as a rotating subcommittee.

City Manager Tewes indicated that each council member expressed some interest in participating on this subcommittee. As it stands now, the current subcommittee is a limited specific purpose committee term. He indicated that in the draft Economic Development Strategy, the subcommittee is recommending the creation of a permanent economic development subcommittee. When the draft Economic Development Strategy returns to the Council that would be the appropriate time to discuss whether or not the Council should make this a permanent committee and whether the rotation should occur.

Mayor Pro Tempore Chang noted that she was appointed as an alternate to the current subcommittee.

Council Services and Records Manager Torrez requested that Council Members identify any other outside agency/committee assignments not listed so that the Outside Agency/Committee listing can be as comprehensive as possible.

Council Member Sellers indicated that he serves on the Downtown Task Force.

Council Member Tate noted that he and Council Member Carr serve on the Measure P Task Force.

Mayor Kennedy recommended that the Greenbelt Study Committee be listed as a Committee with appointments open.

Council Member Tate indicated that he was happy with his assignments and that he would not be requesting changes.

Council Member Sellers indicated that he would not be requesting changes to his assignments.

Council Member Carr stated that the only change he had was to the Santa Clara County Pollution Prevention Program, a seat shared with the City of Gilroy. He indicated that he no longer fills this position as he had to step down from the position. It was his belief that this was an open seat at this time, noting that the County Cities Association makes this appointment.

Mayor Kennedy indicated that the County Cities Association recently appointed Roland Velasco to the Pollution Prevention Program as recommended by the City of Gilroy. He recommended that it be indicated that this seat is being filled by Gilroy at this time.

Council Member Carr indicated that he was satisfied with his current assignments as well.

Mayor Pro Tempore Chang stated that she was satisfied with her assignments.

Council Member Tate stated that he and Council Member Carr, as the Economic Development Strategy subcommittee, would be returning with a recommendation on rotation to the Economic Development Strategy Subcommittee.

Action: *On a motion by Council Member Tate and seconded by Council Member Sellers, the City Council unanimously (5-0) **Concurred** with the Mayor's appointment to retain the current Council Members' Committees and Outside Agencies assignment with the amendments/additions as mentioned above.*

Action: *On a motion by Council Member Tate and seconded by Council Member Sellers, the City Council unanimously (5-0) **Directed** the City Clerk to Notify the Appropriate Agencies of Amended Assignments.*

Regarding the Cities Association request for Council interest in serving on the Local Agency Formation, Mayor Kennedy indicated that he had expressed interest in this position. However, due to the fact that Susan Wilson, a Morgan Hill resident, is serving on this committee, the appointed individual could not be from the same city. Therefore, he withdrew his application. It was his belief that this would also apply to the alternate.

Council Member Tate pointed out that the Pollution Prevention Advisory Committee has an opening for South County.

Council Member Carr noted that the City of Gilroy has filled his vacated position on the Pollution Prevention Advisory Committee.

Mayor Kennedy noted that there are two candidates for this position: the incumbent John Mclemore and the other is Dave Cortese recommended by Mayor Gonzalez. He felt that these were two tough competitors.

Mayor Kennedy noted that there was no interest in serving on the Recycling and Waste Reduction Commission on the Metropolitan Transportation Commission outside agency committees.

City Council and Redevelopment Agency Action

CONSENT CALENDAR:

Action: *On a motion by Council Member Tate and seconded by Council Member Sellers, the City Council unanimously (5-0), **Approved** Consent Calendar Items 18 and 19, as follows:*

18. SPECIAL AND REGULAR CITY COUNCIL AND SPECIAL REDEVELOPMENT AGENCY MEETING MINUTES OF NOVEMBER 20, 2002

Action: **Approved** the Minutes as Submitted.

19. SPECIAL CITY COUNCIL MEETING MINUTES OF NOVEMBER 13, 2002

Action: **Approved** the Minutes as Submitted.

FUTURE COUNCIL-INITIATED AGENDA ITEMS

No items were identified.

ADJOURNMENT

There being no further business, Mayor/Chairperson Kennedy adjourned the meeting at 8:05 p.m. to a reception in honor of re-elected Mayor Kennedy, Council Member Sellers and Council Member Tate.

MINUTES RECORDED AND PREPARED BY

IRMA TORREZ, City Clerk/Agency Secretary